

MEETINGS TO DATE 10
NO. OF REGULARS 8
NO. OF SPECIALS 2

LANCASTER, NEW YORK
APRIL 21, 1975

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 21st day of April, 1975 at 8:00 P.M. and there were

PRESENT: LEO N. WEIMER, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: CHRISTINE JANKOWSKI, DEPUTY TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
J. MICHAEL KELLEHER, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
JOHN F. LUME, HIGHWAY SUPERINTENDENT

BID OPENING SCHEDULED FOR 8:00 P.M.:

At 8:03 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster Highway Department stone and grit for the year 1975.

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:04 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

The following proposals were received:

<u>BIDDER</u>		<u>BID</u>
1. The Buffalo Slag Co., Inc. 111 Great Arrow Avenue Buffalo, NY 14216	Crushed Stone Grit	\$10.90 per ton \$ 4.00 per ton
2. Lancaster Stone Products Corp. 5833 Main Street at Pfohl Place Buffalo, NY 14221	Crushed Stone	\$ 8.50 per ton
3. Spencer & Haley, Inc. Elton Road	Crushed Stone Grit Grit	\$ 7.15 per ton \$ 3.60 per ton (High. Gar.) \$ 1.45 per ton (Pit of Vendor)

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous roll call vote, the aforesaid proposals were ordered turned over to HIGHWAY SUPERINTENDENT for examination, tabulation and recommendation.

BID OPENING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster bids for reconstruction of tennis courts at Stanley J. Keysa Memorial Park.

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:15 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

The following proposals were received:

<u>BIDDER:</u>	<u>BID:</u>
1. Delaware Paving Corporation 4577 Genesee Street Cheektowaga, N.Y. 14225	\$15,109.00
2. Amherst Paving 310 Meyer Road Buffalo, N.Y. 14226	\$14,359.00
3. Roland-Hall-Laderer Paving Co., Inc. 356 Sunrise Blvd. Williamsville, N.Y. 14221	\$11,400.00
4. Louis Del Prince and Son, Inc. 3463 Genesee Street Cheektowaga, N.Y. 14225	\$12,270.00
5. Schreiber Hauling Company 100 Burkhardt Drive Depew, N.Y. 14043	\$10,415.00
6. Depew Development, Inc. P.O. Box 28 Depew, N.Y. 14043	\$11,575.00
7. D & H Paving, Inc. 4 Bondcraft Drive Amherst, N.Y. 14226	\$13,349.00

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the aforesaid proposals were ordered turned over to GREVER & WARD, INC. for examination, tabulation, and recommendation.

OFFICIAL REPORTS:

The Town Clerk reported that the following department of the Town of Lancaster have filed with him their Monthly Report as follows;

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Zoning Inspector	February and March, 1975

COMMITTEE REPORTS:

NONE

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held on April 7, 1975, as presented by the Town Clerk, be and hereby are
approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

~~xxx~~
The resolution was thereupon ~~unanimously~~ adopted.

April 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of one (1) new road sweeper for use of the Highway Department, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized, and

WHEREAS, sufficient funds are available in the Revenue Sharing Fund of the Town of Lancaster for a down payment therefor,

NOW, THEREFORE, BE IT

RESOLVED, that bids be received by this Town Board on May 5, 1975, at 8:00 o'clock P.M., Eastern Daylight Time, for the purpose of purchasing one (1) new road sweeper for the Highway Department of the Town of Lancaster in accordance with specifications on file in the Town Clerk's Office, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is authorized and directed to place a Notice to Bidders in the Lancaster Enterprise-Journal and post notices as required by the Town Law of the State of New York, which Notice shall be in the following form:

LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Board of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 8:00 o'clock P.M., Eastern Daylight Time, on May 5, 1975, for furnishing to the Highway Department of the Town of Lancaster one (1) new road sweeper, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in an amount representing five percent (5%) of the total bid, payable to the Supervisor of the Town of Lancaster, and non-collusive bid certificate, must accompany each bid.

The Town Board reserves the right to reject any or all bids and to waive any informalities.

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF LANCASTER, NEW YORK

By: ROBERT P. THILL
Town Clerk

April 21, 1975

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, Chapter 818 of the Laws of 1974, amending Sections 28-a and 28-b of the Labor Law and enacting Article 36 of the General Business Law of the State of New York, authorized the enactment of Industrial Code Rule 53 of the Board of Standards and Appeals of the State of New York, Department of Labor, and

WHEREAS, said Industrial Code 53 provides that a Central Registry be established of operators of underground facilities located within Towns and Cities to be given advance notice by excavators and/or demolition operators of intent to perform excavation or demolition work prior to commencement of any excavation or demolition operation,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby establishes a Central Registry of operators of underground facilities within the Township of Lancaster, including the Village of Lancaster and that portion of the Village of Depew located within the Town of Lancaster, said Registry to be maintained and located and be available in the Office of the Town Clerk, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster is hereby designated as the responsible Town Official who shall maintain such Central Registry and be responsible for the obligations of the Town of Lancaster with regard thereto, and

BE IT FURTHER

RESOLVED, that Notice of the establishment of said Central Registry be published in the Lancaster Enterprise-Journal on April 24, 1975 and on May 1, 1975, and posted according to law, and that such Notice shall be in the following form:

LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO EXCAVATORS AND DEMOLITION OPERATORS

NOTICE IS HEREBY GIVEN that pursuant to Sections 28-a and 28-b of the Labor Law and Article 36 of the General Business Law of the State of New York, which legislation authorized the enactment of Industrial Code Rule 53 of the Board of Standards and Appeals of the State of New York, Department of Labor, the Town of Lancaster has established a Central Registry of operators of underground facilities located within the Township of Lancaster, including the Village of Lancaster and that portion of the Village of Depew located within the Town of Lancaster, for the purpose of protecting underground facilities from destruction or damage, in order to prevent death or injury to workers and the public, damage to private and public property or loss of essential services to the general public, which need has not been met adequately by existing law; to provide for appropriate notices to operators of underground facilities by persons proposing to excavate near such facilities or to demolish structures near to or containing such facilities; to provide for appropriate notices to operators when underground facilities are damaged; to provide for and encourage the establishment of "one-call" notification systems wherever feasible; to provide for certain other duties to safeguard life and property; and to prescribe penalties and remedies, including injunctive remedies, for violations of such duties.

Article 36 of the General Business Law and the provisions of Industrial Code Part (Rule No.) 53, require that every excavator or demolition operator give advance notice to every operator of underground facilities listed in the Central Registry of intent to perform excavation or demolition work in a specified area prior to commencement of any excavation or demolition operation.

The Central Registry of the Town of Lancaster is on file and may be viewed during regular business hours (9:00 A.M. to 5:00 P.M., Monday through Friday) at the Office of the Town Clerk, Town Hall, 21 Central Avenue, Lancaster, New York, telephone 683-9028. Copies of said Central Registry may be obtained at the Office of the Town Clerk upon payment of Five Dollars (\$5.00).

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

April 21, 1975

and,

BE IT FURTHER

RESOLVED, that a copy of this Notice shall be continuously displayed in the office where Permits for Excavation or Demolition Work are issued and that a copy of this Notice shall be furnished each person obtaining such a Permit.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

~~xxxx~~
The resolution was thereupon unanimously adopted.

April 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , T.O WIT:

WHEREAS, a certain on-site modification in the construction of the
Lancaster Public Library has resulted in the necessity of a change-order, and

WHEREAS, the Town of Lancaster's architect has recommended such
change-order be accepted by the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and
directed to execute the following change-order:

HV-1

Install Fire Dampers at following locations:

1. In 50 x 20 Supply Duct at wall between
Rooms B-7 and B-4
2. In 44 x 20 Supply Duct at wall between
Rooms B-7 and B-4
3. In 36" Dia. Return Duct at Room B-7
wall
4. In 24" Dia. Return Duct at Room B-7
wall

Add \$ 538.00

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

~~xxx~~

The resolution was thereupon unanimously adopted.

April 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, a vacancy exists on the Board of the Town of Lancaster Youth
Bureau due to the resignation of Mrs. Bette Flint, and

WHEREAS, the Chairman of said Board has recommended the appointment
of an individual to fill said vacancy,

NOW, THEREFORE, BE IT

RESOLVED, that Reverend Robert Lauffenburger, St. Mary's Church,
Lancaster, New York, be and hereby is appointed a member of the Board of the
Town of Lancaster Youth Bureau for the term April 22, 1975 to May 31, 1976.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

April 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, William R. Trautman Associates, Professional Engineers,
have submitted a proposal for a Feasibility Study, Report and Preliminary
Cost Estimate relative to the restoration of the second and third floors of the
Town Hall, insofar as possible, to its original appearance as an "Opera House",
and

WHEREAS, the Town Board deems it in the public interest that such
a study be made in the interest of preserving the historic importance of said
area of the Town Hall as the meeting and entertainment center of the Town of
Lancaster in the early 1900's, and

WHEREAS, the Town of Lancaster American Revolution Bicentennial
Committee has recommended that such study and report be made,

NOW, THEREFORE, BE IT

RESOLVED, that William R. Trautman Associates, Professional Engineers,
be and hereby are retained to undertake a Feasibility Study, Report and
Preliminary Cost Estimate of the Opera House Restoration at a fee of \$2500.00,
plus reimbursable expenses, and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and
directed to execute A Standard Form of Agreement Between Owner and Engineer
for said Professional Services as set forth above.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
COUNCILMAN METZ	VOTED YES
SUPERVISOR WEIMER	VOTED YES

~~xxx~~
The resolution was thereupon unanimously adopted.

April 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of one (1) new 16" Chipper for use of the Highway Department, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized,

NOW, THEREFORE, BE IT

RESOLVED, that bids be received by this Town Board on May 5, 1975, at 8:15 o'clock P.M., Eastern Daylight Time, for the purpose of purchasing one (1) new 16" Chipper for the Highway Department of the Town of Lancaster in accordance with specifications on file in the Town Clerk's Office, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is authorized and directed to place a Notice to Bidders in the Lancaster Enterprise-Journal and post notices thereof as required by the Town Law of the State of New York, which Notice shall be in the following form:

LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Board of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 8:15 o'clock P.M., Eastern Daylight Time, on May 5, 1975, for furnishing to the Highway Department of the Town of Lancaster one (1) new 16" Chipper, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in an amount representing five percent (5%) of the total bid, payable to the Supervisor of the Town of Lancaster, and non-collusive bid certificate, must accompany each bid.

The Town Board reserves the right to reject any or all bids and to waive any informalities.

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF LANCASTER, NEW YORK

By: ROBERT P. THILL
Town Clerk

April 21, 1975

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has been informed by the Erie County Department of Environmental Quality that the policy of the New York State Department of Environmental Conservation in not certifying the eligibility of sub-trunk and lateral sewers in County Sewer Districts for Federal assistance will place a crushing burden upon most residents of Sewer Districts in the Town of Lancaster, and

WHEREAS, in order to obtain Federal aid for trunk transmission sewer lines, the Town of Lancaster is obligated to construct a large network of sub-trunk and lateral sewers, which; under the present New York State Department of Environmental Conservation's policy will not receive Federal assistance even though the Federal Government is willing to grant such assistance, and

WHEREAS, the total cost of lateral sewer must, under existing County Law, be charged to the abutting property owner, and

WHEREAS, the present policy of the New York State Department of Environmental Conservation deprives residents of Erie County and other State residents of Federal assistance being granted residents of states other than New York only because of the short-sighted and inequitable action of the New York State Department of Environmental Conservation in setting its policy against certification for Federal assistance for construction of sub-trunk and lateral sewers,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster strongly urges New York State Department of Environmental Conservation Commissioner Ogden Reid to support the request of the Town of Lancaster and other communities in Erie County and throughout New York State for a change of New York State Department of Environmental Conservation's policy in order that sub-trunk and lateral sewers may be certified for eligibility for Federal assistance in order to relieve local taxpayers of the crushing burden of full cost payment for sub-trunk and lateral construction and to aid and assist the fight against

water pollution in the major remaining areas of Erie County which could not otherwise be done except for certification of Federal assistance, which additional construction will stimulate a sadly lagging economy in Erie County, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be immediately forwarded by the Town Clerk to Ogden Reid, Commissioner of New York State Department of Environmental Conservation, to Assemblyman Graber and State Senator Volker and to the Governor of the State of New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
COUNCILMAN METZ	VOTED YES
SUPERVISOR WEIMER	VOTED YES

~~duh~~
The resolution was thereupon unanimously adopted.

April 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER, TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW
YORK, ADOPTED APRIL 21, 1975, AUTHORIZING THE
PURCHASE OF A ROAD SWEEPER FOR THE HIGHWAY DE-
PARTMENT OF THE TOWN, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$29,000, APPROPRIATING
SAID AMOUNT THEREFOR, INCLUDING THE APPROPRIATION
OF \$1,450 CURRENT FUNDS TO BE APPLIED TOWARD THE
COST THEREOF, AND AUTHORIZING THE ISSUANCE OF
\$27,550 SERIAL BONDS OF THE TOWN TO FINANCE THE
BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE
COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable
vote of not less than two-thirds of all the members of said Board), AS
FOLLOWS:

Section 1. The Town of Lancaster, in the County of Erie, New York
(herein called "Town"), is hereby authorized to purchase a road sweeper
for the use of the Highway Department of the Town. The estimated maximum
cost of said specific object or purpose, including preliminary costs and costs
incidental thereto and the financing thereof, is \$29,000, and the said amount
is hereby appropriated therefor, including \$1,450 current funds to be applied
toward the cost thereof. The plan of financing includes the application of
said \$1,450 current funds toward the cost thereof, the issuance of \$27,550
serial bonds to finance the balance of said appropriation, and the levy of a
tax upon all the taxable real property in the Town to pay the principal of said
bonds and the interest thereon.

Section 2. Serial bonds of the Town in the principal amount of \$27,550 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance the balance of the appropriation not provided by current funds.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of §11.00 a. 28 of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized pursuant to this resolution, or any bond anticipation notes in anticipation of the sale of such bonds, pursuant to the provisions of §107.00 d. 5 of the Law, but the amount of \$1,450 provided in the "Equipment Account, Item 3" of the Highway Budget for the current fiscal year shall be applied toward the cost of the specific object or purpose.

(c) The proposed maturity of the bonds authorized by this resolution shall not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any notes issued in anticipation of the sale of said bonds or the renewals of said notes shall contain the recital of validity prescribed by §52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of said bonds or the renewals of said notes, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds

and notes to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of §§50.00 and 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing the issuance of any notes in anticipation of the sale of the serial bonds herein authorized or the renewals of said notes and relative to prescribing the terms, form and contents and as to the sale and issuance of said bonds and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, are hereby delegated to the Supervisor, as the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately, and shall be published in full in the "LANCASTER ENTERPRISE-JOURNAL", the official newspaper of the Town, together with a notice attached thereto in substantially the form as prescribed by §81.00 of the Local Finance Law of the State of New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxxx~~
The resolution was thereupon unanimously adopted.

April 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

WHEREAS, recent negotiations between HUD and the County of Erie concerning Erie County's urban county application for community development and housing funds requires modification of the agreement between the Town of Lancaster and Erie County,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Amended Cooperation Agreement Pursuant to The Housing and Community Development Act of 1974 between the Town of Lancaster and the County of Erie.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
COUNCILMAN METZ	VOTED YES
SUPERVISOR WEIMER	VOTED YES

~~duxb~~
The resolution was thereupon unanimously adopted.

April 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN BOLENDER, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 1928 to 1988 Incl.	\$141,187.04
Special District Funds	No. 17 to 19 Incl.	\$ 2,441.32
Part Town Funds	No. 163 to 169 Incl.	\$ 1,498.76
Highway Funds	No. 403 to 426 Incl.	\$199,891.79
Trust & Agency Funds	No. 64 to 64 Incl.	\$ 23,304.91
Federal Revenue Sharing	No. 58 to 74 Incl.	\$ 28,293.45
Capital Fund	No. 78 to 82 Incl.	\$ 64,196.90

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

April 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN METZ, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BOLENDER, TO WIT:

RESOLVED, that the following Building Permit Applications be and are
hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
26	Ignacy Sitarek	445 Lake Avenue	ER. FR. BR. VEN. SING. DWLG. PVT GAR.
27	Guhl & Weir	2 Evergreen	ER. FR. SING. DWLG. PVT. GAR.
28	Joseph Lumber Co.	60 Stony Road	EX. FR. SING. DWLG.
29	Leon Pawlak	8 Avenue C	DEM. REB. PVT. GAR.

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxxx~~
The resolution was thereupon unanimously adopted.

April 21, 1975

STATUS REPORTS ON UNFINISHED BUSINESS:

1. Signalization - Walden and Ransom

The Town Clerk reported that parts and materials necessary for the installation of this signal are on order and that further progress awaits receipt of the necessary materials.

PERSONS DESIRING TO ADDRESS THE TOWN BOARD:

Rev. Robert Erickson, 40 Albert Drive, Lancaster, New York, representing the Lancaster Depew Citizens of Erie, presented and filed with the Lancaster Town Board a petition containing approximately 700 signatures calling for the municipal takeover of the public gas facilities within the Town of Lancaster.

The Supervisor ordered the petition received and filed, and referred to the Town Attorney for interpretation and review and report back to the Town Board.

Mrs. Edith Fuldauer, 12 Clark Street, Lancaster, New York, spoke in opposition to the Town takeover of utilities.

Mrs. Richard Schaeffer, 20 Kennedy Court, Lancaster, New York, read a three minute prepared statement relative to the feasibility of acquiring the National Fuel Gas Corporation.

COMMUNICATIONS:

DISPOSITION

168. Town Clerk to Town Board - Resume of actions taken in response to resolutions and directives of April 7, 1975.	R & F
169. Memorial Day Committee to Town Clerk - Invitation to attend Memorial Day Parade on May 26, 1975.	R & F
170. Town Attorney to Tryon and Schwartz - Re: Walden Pond Park, B.O.R. Application.	R & F
171. County Commissioner, Central Police Services to Town Clerk - Transmittal - Proposed Model Bicycle Code.	Police Committee Chief Ott
172. Dept. of HUD to Supervisor - Re: National Flood Insurance Program.	R & F
173. Erie County Legislature to Town Board - Notification - Hearing regarding allowing County Legislature to amend Charter in relation to appointment of Library System Director.	R & F
174. Chairman, NGC to Supervisor - Recommendation - Appointment of Margaret Pionessa to NGC.	Youth Bureau Nar. Guidance C.
175. Chairman, Lancaster Youth Bureau to Supervisor - Recommendation - Appointment of Rev. Robert Lauffenburger to Lancaster Youth Bureau.	R & F
176. Office of Public Health, Education, and Information to Town Clerk - Notification - Public Hearing on proposed changes of Erie County Sanitary Code relating to survey fees for inspection of radiation installations.	Supervisor
177. Niagara Frontier Transportation Committee to Supervisor - Thank you for completed questionnaire on transportation planning.	R & F
178. Jane Myers to Town Board - Request leave of absence - Pool Night Foreman, Lancaster Recreation Commission.	Rec. Committee
179. Assessor to Town Board - Request authorization for two Assessors to attend the Northeast Regional Conference of Assessing Officers in McAfee, New Jersey, May 18 through 22, 1975.	Town Attorney
180. Veterans of Foreign Wars to Supervisor - Request Week of June 1st to be proclaimed VFW week.	Town Attorney
181. Elder Philip W. Davies to Supervisor - Request town to proclaim a "Family Unity Week in Lancaster."	Town Attorney
182. Clarence Rainess & Co. to Town Board - Transmittal - Procedure to utilize time open deposit accounts for Town.	Supervisor

ADJOURNMENT:

ON MOTION OF COUNCILMAN BOLENDER, AND SECONDED BY THE ENTIRE
TOWN BOARD AND CARRIED, the meeting was adjourned at 8:45 P.M. out
of respect to:

GLADYS M. NIEMIRA

Signed Christine Jankowski
Christine Jankowski, Dep. Town Clerk